

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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NEW YORK STATE TEAMSTERS COUNCIL  
HEALTH & HOSPITAL FUND, by its Board of  
Trustees, et al.,

Plaintiffs,

vs.

5:09-CV-1184 (DNH)(DEP)

SPA STEEL PRODUCTS CO., INC.,

Defendant.

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APPEARANCES:

OF COUNSEL:

PARAVATI, KARL, GREEN & DeBELLA  
Attorneys for Plaintiffs,  
12 Steuben Park  
Utica, New York 13501

VINCENT M. DeBELLA, ESQ.

DAVID N. HURD  
United States District Judge

**ORDER TO SHOW CAUSE**

Upon the annexed affidavit of Vincent M. DeBella, Esq., sworn to on June 29, 2010, and the exhibits annexed thereto, and upon all of the pleadings and proceedings heretofore had herein; it is

ORDERED, that the above-named defendant and its President, Robert S. Edwards, appear before this Court at the United States Courthouse, 10 Broad Street, Utica, New York 13501 on July 8, 2010, at 10:00 a.m. and show cause why the following relief should not be ordered and granted:

1. Holding defendant and its President, Robert S. Edwards, in contempt of court, pursuant to Rules 37(b)(2)(D) and 69(a) of the Federal Rules of Civil Procedure and Local Rule 83.5, for failure to comply with an Information Subpoena and Restraining Notice served upon them and requiring that they answer written questions under oath;

2. Holding defendant and its President, Robert S. Edwards, in contempt of court, pursuant to §§2703 and 5251 of the New York State C.P.L.R., for their failure to comply with an Information Subpoena and Restraining Notice served upon them and requiring that they answer questions under oath;

3. Directing defendant and specifically its President, Robert S. Edwards, pursuant to Rules 37(a)(2)(B) and 69(a) of the Federal Rules of Civil Procedure, to appear at a deposition for the purpose of answering questions under oath;

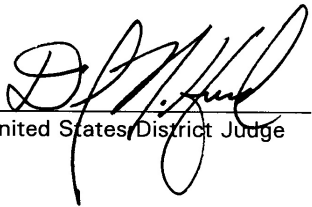
4. Directing defendant and its President, Robert S. Edwards, to pay plaintiffs' reasonable attorneys' fees and costs necessitated by the contempt proceedings as well as damages as provided in Local Rule 83.4(a); and it is

ORDERED, that any answering affidavits or memoranda are to be filed and provided to the attorneys for the plaintiffs, by no later than July 7, 2010; and it is further

ORDERED, that personal service of a copy of this Order and annexed affidavits upon the defendant, Spa Steel Products Co., Inc, as well as its President, Robert S. Edwards, or their respective counsel on or before July 2, 2010, shall be deemed good and sufficient service thereof. If Robert S. Edwards fails to appear on July 8, 2010, pursuant to this Order, he may be subject to a warrant for his arrest.

IT IS SO ORDERED.

Dated: July 1, 2010  
Utica, New York.

  
United States District Judge